

U.S. Application No. 10/684,650, filed October 14, 2003

Attorney Docket No. 14211US02

Amendment dated November 23, 2009

Accompanying Request for Continued Examination (RCE) filed November 23, 2009

REMARKS

Claims 22-39 and 41-46 are allowed as set forth in the Notice of Allowance mailed September 21, 2009.

Applicant has amended independent claims 22 and 29 by replacing “provides” with “supports”. It is believed that claims 22-39 and 41-46 are in condition for allowance.

Applicant has enclosed a “Request to Reconsider Items Previously Listed in Information Disclosure Statement Dated January 20, 2004.” Three (3) items listed in the information disclosure statement of January 20, 2004 are undated and were not considered by the Examiner.

In the Request to Reconsider Items Previously Listed in Information Disclosure Statement Dated January 20, 2004, Applicant respectfully submits a PTO Form SB 08A that lists the three (3) Non-Patent Literature Documents, now dated. It is respectfully requested that the Examiner fully consider the three (3) Non-Patent Literature Documents.

Applicant does not necessarily agree or disagree with the Examiner’s characterization of the documents made of record, either alone or in combination, or the Examiner’s characterization of recited claim elements. Furthermore, Applicant respectfully reserves the right to argue the characterization of the documents of record, either alone or in combination, to argue what is allegedly well known, allegedly obvious or allegedly disclosed, or the characterization of the recited claim elements should that need arise in the future.

Applicant respectfully reserves the right to pursue, without prejudice, subject matter (e.g., claimed subject matter) that has been cancelled, amended and/or withdrawn in a related and/or continuing application.

With respect to the present application, Applicant hereby rescinds any disclaimer of claim scope made in the parent application or any predecessor or related application. The Examiner is advised that any previous disclaimer of claim scope, if any, and the alleged prior art that it was made to allegedly avoid, may need to be revisited. Nor should a disclaimer of claim scope, if any, in the present application be read back into any predecessor or related application.

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In view of at least the foregoing, it is respectfully submitted that the pending claims 22-39 and 41-46 are in condition for allowance. Should anything remain in order to place the present application in condition for allowance, the Examiner is kindly invited to contact the undersigned at the below-listed telephone number.

The Commissioner is hereby authorized to charge any additional fees, to charge any fee deficiencies or to credit any overpayments to the deposit account of McAndrews, Held & Malloy, Account No. 13-0017.

Date: November 23, 2009

Respectfully submitted,

/Michael T. Cruz/

Michael T. Cruz

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